

EXHIBIT

16

DATE

3-8-11

HB

309

To the Honorable Senator,

DONALD STEINBEISSER  
SD 19 SIDNEY, MT.

CHAIRMAN:

AGRICULTURE, LIVESTOCK, & IRRIGATION  
COMMITTEE

Dear Senator.....STEINBEISSER,

re: HB 309

House Bill 309 is yet another shameful and blatant example and attempt by its proponents and their wealthy masters to circumvent the Montana Constitution, the Stream Access Law, and the Mitchell Slough Mt. Supreme Court decision to thereby fleece the rights of Montana citizens and others to recreate and exercise those said rights relative to Montana rivers and streams.

I prevail upon you, our elected representatives, to arrest the absurdity that HB309 intends to pursue and emphatically vote "NO" to House Bill 309.

Thank You for your attention and consideration.

Respectfully,

William C. Masella

220 Balsom Street

Anaconda, Mt 59711

*William C. Masella*

406-563-2672

GEORGE GRANT TROUT UNLIMITED BOARD MEMBER

RECEIVED 10-11-1964  
U.S. AIR FORCE

MEMORANDUM FOR THE RECORD  
SUBJECT: [illegible]  
[illegible]  
[illegible]

10-11-1964

FOR THE RECORD

Others have stood before you today and given you many sound reasons for not passing this bill, I fully concur with their assessments and stand in unity with them in their opposition, so I will try not to repeat their already stated objections.

As legislators, the rules and regulations that you instate have a significant impact on the business climate within Montana. So that makes you a major factor in structuring Montana's Business Plan.

I have been a Montana business owner for the past quarter century and have worked extensively within the business community. In that time I have learned from many successful business that you do not take lightly the potential consequences of making significant changes to your business plan. One needs to ask many questions and have as many answers as possible before going forward.

I would suggest to you that you cannot pass HB 309 and change Montana's Business Plan until you can answer with reasonable certainty the following questions:

1) How many lawsuits will originate because of this legislation as it creates so much confusion and is such a dramatic shift from long standing and successful Stream Access Law? And conversely, how much money will that cost the taxpayers of MT in legal fees?

2) How many miles of rivers and streams will now be off limits to recreation as this bill ~~will~~ effectively reclassify  
could

them as ditches? And conversely will the state be reducing the cost of a fishing license accordingly? Also, how will Fish Wildlife and Parks make up for this lost revenue?

3) How much of a reduction will there be in the number of traveling fishermen and other recreationists because many miles of Montana's once accessible rivers are now off limits? And conversely what is the legislatures plan for making up for this lost revenue?

4) Once the word gets out that the Last Best Place has declared it's magnificent trout rivers and streams to be ditches, how much of a drop in overall tourism do you project that will cause? And conversely, since a drop in tourism also creates a loss of jobs, what is the legislatures plan to create new jobs for these newly unemployed? Also, if there is no plan to create new jobs, how does the legislature propose to provide for the additional funding that will be needed to cover the increased demand in public services to support these folks?

I believe that this bill is a significant change to Montana's business plan. For that reason and all the reasons stated earlier I oppose this bill!


 Mike Spengler  
West Nepal Chapter TH 310 Burlington  
Missoula MT 59801

EXHIBIT 16  
DATE 3-8-11  
HB 309

Mr. Chairman, Members of the board.

My Name is Gary Peterson and I live at 19 Alta St. Helena

I am here to express my opposition to HB 309. While I hope it is not the case it appears that this bill is a thinly veiled attempt by some gentlemen farmers to extract vengeance for the Supreme Court decision which makes Mitchell Slough accessible to recreational users.

Regardless of the purpose of this bill it attacks what has been one of the great success stories for Montana. For 30 years we have been working on a satisfactory solution for stream access in Montana. Montana farmers, sportsmen and this body have worked together, bringing all stakeholders to the table to hammer out solutions that all parties can live with. As a result we can be proud of Montana Stream access laws which are considered to be the most enlightened in the US.

This bill will throw all of that away. The definition of constructed water conveyance is so all inclusive that instead of well defined stream access we will go back to endless litigation to determine if each stream and river is a ditch or river. This bill defines all rivers with 50% or their water from return irrigation as ditches. Rivers that contain 50 % irrigation returns include most rivers in irrigated valleys. Each will be another court battle.

I understand the heartburn that the farmers and ranchers have when ever there is uncertainty about water rights and irrigation. It is their agricultural lifeblood. If there is genuine concern from the legitimate farmers and ranchers in Montana over the definitions lets sit down and work our a solution. This bill will only complicate the matter.

Let's not jeopardize Montana's \$3 million tourist industry or the 3500 jobs that are attached to Montana's fishing industry just because of disgruntled out of state landholders. Let's not risk the \$250 million in local and state taxes associated with this industry. If the legitimate agriculture community is unhappy with current law Please go back to the table and work out something we all can live with.

HB 309 is not a solution

EXHIBIT 16  
DATE 3-8-11  
HB 309

Slough case.

I ask that you please stop this horrible bill. Several of us from Lewistown will be at your hearing tomorrow.

I, Michael Chapman, submit this statement on behalf of Snowy Mountain Chapter of Trout Unlimited & Big Springs Creek Watershed Council. We oppose this bill.

Michael Chapman  
Lewistown

HB-309

3/8/11

Testimony of: Mike Whittington  
2450 Brook Hollow  
Billings, MT 59105

MR. Chairman & Members of the Committee,  
Thank you for this opportunity for  
Citizen Comment.

I am a 4<sup>TH</sup> generation Montanan and in 1950 at age 16 I began living with my grandparents on the ranch near Fishtail in Stillwater Co. When ranch chores permitted, grandad loved to take this little boy fishing. It might be the W. Rosebud, E. Rosebud, Stillwater River, Rock Cr. or the Clarks Fork. What these streams have in common is they all have diversion dikes, headgates, return ditches, etc. that serve irrigation needs. My grandad & his neighbors diverted water to irrigate hay meadows from the Dempster Ditch; we didn't fish in the ditch however.

Fast forward 61 years to today. I still fish on those 5 streams. I now have two small grandsons of my own in Billings and I dream of the day when they are old enough to take fishing where my grandpa took me.

I am very concerned that HB 309 will nullify the Stream Access Law for these streams, thus preventing us and many others from enjoying these beautiful streams. Please vote no on HB-309.

Respectfully,  
Mike Whittington

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PAGE



**FAR BANK**  
*enterprises*

EXHIBIT 16  
DATE 3-8-11  
HB 309

March 4, 2011

Senate Committee on Agriculture, Livestock and Irrigation  
Montana State Legislature  
Helena, Montana

8500 NE Day Road  
Bainbridge Island, WA 98110  
Phone: 206-842-6608  
farbank.com

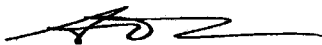
Dear Senators,

I am writing to the committee today to express my organization's opposition to Montana's House Bill 309. The business I work for, Far Bank Enterprises, is a holding company for three organizations that manufacture and sell fly fishing equipment. Our brands are Sage, Redington and RIO Products and each of those businesses are intensely connected to the recreation economy that exists in Montana. Our businesses depend on healthy Montana fly shops, healthy Outfitters, Montana resident anglers, and the thousands of anglers that travel to Montana yearly to pursue fish. Because of this dependence, our organization spends millions of dollars supporting sales efforts in Montana. Beyond that we are simply passionate about the angling opportunities that exist in your state and we collectively take advantage of them whenever the opportunity is presented. All these activities contribute to the overall Montana economy and I cannot overstate the importance of Montana to the overall fly fishing industry.

With that explained, my opposition to HB 309 stems from the belief that this bill is a first step toward reducing recreational access to waters that have traditionally been available for everyone to enjoy. If this bill is passed, and thus reduces recreational access, the fly fishing industry both within and outside Montana stands to be significantly harmed.

Each year there seems to be more attacks on traditional recreational access throughout the country. In contrast, Montana has historically been a shining example of a state that understands the importance of the recreation economy and supports fair access to sportsmen while also respecting individual property rights. I encourage you to keep Montana at the forefront of access protection and not let this bill become law.

Respectfully submitted,



Travis Campbell  
CEO & President



EXHIBIT 16  
DATE 3-8-11  
HB 309

From: Karl Gies <skyland@midrivers.com>  
Subject: **From: The Big Spring Creek Watershed Council, Lewistown, Montana, President Don Pfau, Spokesperson Karl Gies**  
Date: March 8, 2011 6:28:11 AM MST  
To: Senate Agriculture, Livestock, and Irrigation, Committee

**House Bill 309 will be considered by the Senate Agriculture Committee on Tuesday, March 8<sup>th</sup>, at 3:00 pm in Room 303 of the Montana Capitol. This bill, if passed into law, will revamp the Montana Stream Access law and eliminate public access to many streams and rivers in the State.**

**I would like every one on the Senate Agriculture, Livestock, and Irrigation Committee to vote to kill this bill. The bill would reclassify any river or stream to a private ditch that have been modified in part by irrigation structures, or whose flows are augmented by irrigation return waters and eliminate public access on them. Almost all rivers and streams in Montana, except those in wilderness areas and the headwaters of streams on Forest Service land, would no longer be accessible by the public. This would be a significant and adverse impact to outdoor recreationists and local businesses (guides, outfitters, motels and restaurant owners, etc.) that depend on revenue associated with the current public access provisions. I also want to point out that the State of Montana owns the stream beds below the ordinary high water mark. This bill, if passed, would eliminate public access to these state owned properties. This would close down at least eight State owned public access sites on Big Spring Creek. There is a head gate right below the East Boulevard bridge in Lewistown that would close all of the lower stream. This issue has went through the Montana Supreme Court twice, then to the Federal Court in Great Falls, next the United States Ninth Circuit Court of Appeals and then the United States Supreme Court. Then there was the issue of bridge access that thanks to Mike Milburn, Kendall Van Dyck (and many others) was settled. After all of this I thanked God that there was not an Inter-Galactic Supreme Court but now we have HB 309.**

**HB309 is confusing, complicated, contradictory, and impossible to implement. FWP has worked diligently with outdoor recreationists and landowners to implement the 1985 Stream Access Law. Overall, these efforts have been very successful – let's not mess the situation up by passing this bill. This bill is simply an attempt to overturn the seminal decision of the Montana Supreme Court in the Mitchell Slough case.**

# HB 309

EXHIBIT 16  
DATE 3-8-11  
HB 309

Robert E. Lay  
3171 Artenta Drive  
Helena, MT 59602

To All Concerned:

HB 309 is not about Republicans or Democrats. It is about Montanans, Montana Businesses and **MONTANA VOTERS.**

Passage of this bill will be of benefit to a **HANDFUL OF PEOPLE AND HARM MANY.**

I urge you to **VOTE AGAINST HB 309.**

Thank you,



**Bender, Rinay**

**From:** Scott Haugan [shaugan@tyghcap.com]  
**Sent:** Monday, March 07, 2011 10:20 AM  
**To:** Bender, Rinay  
**Subject:** FW: I am against HB 309, "The Ditch Bill." Please read and thank you.

**Importance:** High

Rinay,

Sue O'Connell just returned my call and said that you would be in charge of "being heard" regarding HB 309.

Please read the following which I sent to the committee members.

Also, could I please have an updated email for Taylor Brown? His address given does not work.

Scott  
503-313-7027 cell

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**From:** Scott Haugan  
**Sent:** Monday, March 07, 2011 9:08 AM  
**To:** 'donstein@midrivers.com'; 'taylor@northernbroadcasting.com'; 'apsaaloowomen@yahoo.com'; 'garybranae@gmail.com'; 'senator.robert.hawks@gmail.com'; 'hutton4senate@yahoo.com'; 'cliff@larsenusa.com'; 'mail@senatorericmoore.com'; 'murphter5@yahoo.com'; 'windyboy\_j@yahoo.com'  
**Subject:** I am against HB 309, "The Ditch Bill." Please read and thank you.  
**Importance:** High

Dear Agriculture, Livestock, and Irrigation Committee Members:

I am writing to say that I am against "The Ditch Bill," House Bill No. 309 introduced by Mr. Welborn.

As an avid life-long hunter and fisherman raised in Billings, I am against any bill introduced that could present a risk to the current or future public stream access in Montana.

The bill has some very particular language in Section 2 C, i, ii, ii and Section 2, #5, C. With this change, you are going to create a slippery slope with regards to future stream access rules, possibly restricting access in any channels or side channels that are formed all or in part by irrigation ditches.

The current law already prohibits recreating in ditches, diversions, etc. Correct?

I can think of several channels in the Yellowstone between Emigrant and Livingston that could be at risk. The entire Beaverhead, Ruby and several lower Big Hole sections could be at risk depending on how this language is interpreted in the future. I can think of many others, I am sure you can too.

Please cancel this bill and re-write it so that it does not open the risk to future public stream access or risks to future stream access laws affecting public access.

Thanks for your time,

Scott Haugan  
48 E. Fieldview Circle  
Bozeman, MT 59715  
406-551-4925



jlwmontana@gmail.com

03/06/11 10:57 AM

To john.w.westman@exxonmobil.com

cc

bcc

Subject Fwd: Re: HB309 "Ditch Bill"

EXHIBIT 16  
DATE 3-8-11  
HB 309

----- Forwarded message -----

From: jlwmontana@gmail.com

Date: Mar 6, 2011 10:55am

Subject: Re: HB309 "Ditch Bill"

To: Dave & Jill Noell <dnjnoell@gmail.com>

CC:

> I would be happy to read your comment on Tuesday. Thank you so much for getting involved.  
> as I've told you before, it is now crunch time. JW

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> On Mar 6, 2011 10:03am, Dave & Jill Noell dnjnoell@gmail.com> wrote:

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>> JW, Thank you for all of your efforts on behalf of all Montana sportsmen. If you could read  
>> my statement at the hearing, I would be very grateful.

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>> " I am David Noell and unable to be in Helena today. I am grateful to JW Westman for reading my statement and to the Committee for listening to it.

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>> I am a fellow Montanan who shares, with you, a deep appreciation for the state we all call home. Many Montanans and others from around the world are drawn to our magnificent rivers. It is our rich blessing that our waterways are among the finest found anywhere in the world.

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>> Public access to our rivers and streams has been crucial and fundamental for all Montanans to enjoy our birthright. Stream access has been a work in progress for many years. House Bill 309 would be a disastrous setback in this process.

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>> It has been well established that the public has the right to access rivers and streams below the high water mark. This bill would cause confusion and conflict for both landowners and the general public. Every side channel would potentially become an area of dispute.

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> > I believe it is wiser for us to live with the bipartisan solution passed in the last legislative session for a few years before we make yet another dramatic change.

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> > Please table this bill, it will not resolve any problems, it only creates new ones. Thank you."

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**Mr. Chairman—Councilmen <sup>Heer</sup> 3**

**I'M Fred Upchurch— A river guide for the past 10 years in the Bitterroot Valley.**

**FWP states that fishing, hunting and wildlife watching is a billion dollar industry. I don't know the amount that is stream related, but if you consider fishing, duck hunting, wildlife watching and just floating— I'm sure it's a great deal.**

**In this economic climate—this is not the time to stifle work!!**

**I have had return clients that return because this is the “LAST BEST PLACE” and I hear stories of guides handing a sandwich over his shoulder, because he could not drop his anchor—In states like COLO & WYM.**

**In addition, as I read this bill, the Bitterroot river will be effected. If any streams are effected—that will concentrate the users and over tax the resource !**

**None of my clients wants to fish in anything that looks like a ditch !!!**

**A river is a wild and free thing—no one should own a river no more than anyone should own an elk .**

**Years ago a privilege few own a wild and free people—and if you will use your imagination—they tried to turn them into DITCHES — That was not right then and it is not right for a privilege few to own a wild and free RIVER ....**

**I urge you to vote for the People the Resource the River...**

16  
EXHIBIT

DATE

HB

To: Agriculture, Livestock, and Irrigation Committee  
From: Kyle Viste  
Date: March 8, 2011  
Subject: Opposing HB 309

Mr. Chairman and committee members, my name is Kyle Viste and I oppose HB 309. I stand before you as a 4<sup>th</sup> generation Montanan who grew up farming the family homestead outside of Nashua, Montana and I am very proud of my Montana heritage. Growing up a Montana farmer and a passionate fisherman, I have a strong respect for both landowner rights and fishing access rights.

I have had the opportunity to fish all over the state of Montana. From catching catfish on the Milk River to landing westslope cutthroat trout on dry flies on Rock Creek, I find no greater pleasure than to be able to access and fish Montana rivers and streams with family and friends. To have my rightful access stripped away would be nothing shy of devastating. I have fished the famed Mitchell Slough and it in no way resembles a ditch; it makes no sense to try to classify it as such.

HB 309 is a direct assault on Montana's stream access rights for places like Mitchell Slough and other Montana rivers, streams, and their tributaries. As a fisherman and a son of a Montana farmer, I oppose HB 309. Thank you for your time.

Respectfully submitted,

  
Kyle Viste

EXHIBIT 16  
DATE 3-8-11  
HB 309

March 8, 2011

Senate Agriculture Committee, 3:00 pm, Room 303

Mr. Chairman and committee members. I am opposed to HB 309 and ask the committee to kill this bill.

Proponents of this bill claim it's a minor modification to the 1985 Montana Stream Access law. However, when I read this bill and reviewed the testimony presented by Bob Lane, Chief of Legal Council for Montana Fish, Wildlife, and Parks (FWP), to the House Agriculture Committee, it became clear to me that this bill will gut Montana's Stream Access Law.

HB 309 will reclassify any river or stream that have been modified in part by irrigation structures, or whose flows are augmented by irrigation return waters, to a private ditch and consequently eliminate public access on them. Many rivers and streams in Montana, with the exception of those in wilderness areas and the headwaters of streams on Forest Service land, would no longer be accessible to the public. This would be a significant and adverse impact to outdoor recreationists and local businesses (guides, outfitters, motels and restaurant owners, etc.) that depend on revenue associated with the current public access provisions.

HB 309 is confusing, complicated, contradictory, and would be difficult implement. FWP has worked diligently with outdoor recreationists and landowners to implement the 1985 Stream Access Law. Overall, these efforts have been very successful. Please vote against HB 309

Sincerely,

Craig Roberts  
908 West Washington Street  
Lewistown, MT 59457  
[craigroberts@midrivers.com](mailto:craigroberts@midrivers.com)  
(406) 366-3987 Cell  
(406) 538-3987 Home

EXHIBIT. 16

DATE 3-8-11

HB 309

March 6, 2011

Senate Agriculture Committee

I would like to take the opportunity to comment on HB-309 "Ditch Bill." I am an avid user of both the Bitterroot and Big Hole Rivers for both fishing and general recreation. I have a great fear that HB-309 as currently composed would greatly restrict the amount of water ways that the people of Montana will have to use publicly. If passed this bill has the potential to destroy the recreational opportunities for myself as well as my grandchildren.

As currently written it appears that return flows could count as diverted water in the overall picture of diverted water when determining principle source. As with the Bitterroot River there is high irrigation usage. That being considered HB-309 actually defines the Bitterroot River as a ditch where recreation is prohibited. In most cases most rivers and streams in Montana would fall under the definition of a ditch and therefore not available for recreation. The financial impact to most communities would be devastating at the least. Several communities rely on the revenue generated by local as well as out of state dollars as part of their tourism revenue. This can only spell tragedy for local business in an already soft economy.

Also this bill lays open the possibility that any braided stream with a head-gate of some type of device to capture water for the purpose of irrigation. That braided streams definition would now change from that of a natural waterway to that of a ditch and recreation would then be prohibited.

There is now doubt that landowners have a right to irrigation water but not at the expense of our fishing and recreation rights as defined by the Stream Access Law. The current stream access statute already protects landowners. The stream access statute defines a ditch as a constructed water conveyance system that is used to divert water for a beneficial use. No further protection for landowners is needed under the current law.

It is my opinion that HB-309 is a clear "end around" to overturn the Montana Supreme Court decision on the "Mitchell Slough case. It will be a sad day in Montana when out of state big money dictates how local residents can access the natural resources the we all have come to cherish and enjoy.

I strongly encourage you the stop the bill now to protect our ability to recreate on our streams and rivers.

David L. Harlacher  
1062 Lark View Lane  
Stevensville, MT 59870

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DATE 3-8-11  
HB 309

Agriculture, Livestock and Irrigation Committee  
March 2, 2011  
Page 2

This, then, raises the question, if it isn't broke why fix it? In other words, why is there a need to revise a statute that has worked well for 25 years?

During the debates on the initial stream access law, alarmists raised the prospect of recreationists floating in ranchers' alfalfa fields and irrigation ditches. None of this has happened.

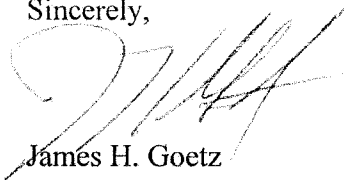
HB 309, now introduces unclear definitions and uncertainty into a situation that has worked reasonably well in the past. For example, there is a reference to "water bodies created at least in part by waters diverted from a natural water body where the diverted water is a principal source of water in the water body." What does this mean? Are we to get into litigation about what is the "principal source" of the water? Is the landowner (or the State) going to have to put in hydrologic measuring gages and, if so, where are they to be located? Who is going to read them? What is the location of the "return flow" and how do we measure that? What is meant by the "principal purpose of facilitating irrigation"? What if artificial irrigation devices are installed largely (solely ?) (or partly ?) for the purpose of frustrating recreational use? Is each side going to have to hire expensive expert witnesses to prove their case? Can the normal Montana landowner, struggling to earn a living, afford this, or will it simply benefit the few wealthy who are less familiar with the tradition of Montana neighborliness?

These impossibly complicated proposed amendments should be contrasted with the straightforward definition in the present stream access law that has proved workable. The present statute defines a ditch as a constructed water conveyance system that is used to divert water for a beneficial use. *See* § 23-2-301(6) and § 23-2-302(1)(c), MCA. This is straightforward and easy to understand, and effectively protects landowners.

HB 309 is likely to cause more problems that it will solve. This State does not need more litigation on this issue. Whether calculated or not, this legislation will foment acrimony between recreationists and landowners, and undercut years of efforts made by the Stockgrowers and the recreationists to get along with a workable solution.

In sum, I respectfully submit that this is a non-answer to a phantom problem. Please remember the guiding principle of the stream access cases – that the waters in Montana are held by the State in trust for all of the people.

Sincerely,



James H. Goetz

EXHIBIT. 16

DATE 3-8-11

HB 309

Allen Schallenberger  
Sheridan, MT  
March 5, 2011

Senate Agriculture, Livestock and Irrigation on HB 309  
Chairman Steinbeisser and Committee members Brown, Branae, Hawks, Hutton,  
Larsen, Moore, Murphy, Ripley, Stewert-Peregoy, Windy Boy

My name is Allen Schallenberger and I am unable to attend this important hearing on March 8th so am sending this brief letter in opposition to the bill. Please make my letter part of the hearing record.

I have a great appreciation for water and have many years experience with it. I have 20 years flood irrigation experience in five basins, 20 years of general outfitting of which float fishing was a major part on southwest MT rivers and I formed the Jefferson River Watershed Council and served on it for seven years.

This is a poorly written bill which is going to cause a lot of court fights and we can do without those costly hassles. Below wing dams on channels and in some cases irrigation diversions crossing entire rivers would appear to be off limits to recreation after floating over, through or portaging around them. When floating rivers such as the Big Hole I float over or through a number of such dams in a day at present.

The term diverted water appears to cause problems on rivers such as the Big Hole, Ruby, Beaverhead and Jefferson Rivers because most of the flows in those rivers come from diverted water as the summer progresses.

Items 22 and 23 appear to stop recreation on Pishkun Reservoir where I have fished and boated for many years near Choteau. It is formed by water diverted from the Sun River by a diversion dam, which then flows several miles through a large canal to the reservoir which is used as the storage source for the Greenfield's Irrigation District.

The Stream Access Law is working quite well even on the Ruby River and we should not kill it with HB 309. If law must be passed to address the Supreme Court deletions do that without adding all the extra junk and future litigation. Please amend this bill as mentioned or kill it. Thank you for reading my testimony. I am testifying during your hearing on two grizzly bear bills before the house agriculture committee.

//Allen Schallenberger



Petition opposing HB 309

EXHIBIT 16  
DATE \_\_\_\_\_  
HB HB 309

**We, the undersigned oppose HB 309 because:**

- \*It essentially repeals stream access.
- \*It turns live side-channels of rivers, streams, and even whole rivers into private ditches
- \*A live, flowing braid or channel becomes a private ditch if there is any kind of a control structure at the head of the live channel.
- \*Whole streams and rivers will be private ditches whenever return flows from irrigation are the principle portion of the flow which is almost always the case wherever there is irrigation.
- \*It replaces a clear definition of private ditches that works with a definition that does not work.
- \*It will create endless litigation.

Print Name	Address	Signature
Kate Graynt	Missoula	[Signature]
Larry [unclear]	5700 Red Ln Helena	[Signature]
Wesley Mader	P.O. Box 221 MT 59648	[Signature]
DAVID McNISH	Bx 713 Livingston	[Signature]
John Rida	Bx 4701 Butte, MT	[Signature]
RICK ARNOUD	PO BOX 52 Bozeman	[Signature]
Lou Parrett	1033 Helen Butte	[Signature]
Nike Spennar	312 Birding, Missoula	[Signature]
Justin [unclear]	5500 Redtail Ln	[Signature]
Stephanie Ambrose Tobbs	900 University	[Signature]
NANCY WOOLARD	509 2nd ST NW, B.T.	[Signature]
B. Frank Bushell	509 2nd St NW CF	[Signature]
PAT JOYCE	219 South (Livingston)	[Signature]
Hallie Righolmer	Hay St Wilson, MT	[Signature]
Kit Fischer	240 N Higgins Missoula	[Signature]
me Don Bailey	1545 5th St W Missoula	[Signature]
John Hudgens	2610 Lily Bozeman	[Signature]

Em Adams PO Box 817 Livingston MT 59017  
Russell Elvel 611 N 3rd Livingston MT 59047  
John Beltrami 1419 Coopers St Missoula, MT 59802  
Don Trampe 1067 Arden Rd. Helena MT 59602  
David Evans 4205 Cheney Hollow Rd Bozeman, MT 59715  
EARL LITTLE 1117 56TH, HAMILTON, MT 59840  
Jerry Lappier 127 Box Canyon Ln, Cascade MT 59421  
Jennis Carter 3724 Falcon Meadows Dr, Helena, MT 59602  
Thomas A. Poremba 1817 W Park St Anaconda MT 59711  
Patrick M. Scabise 1244 N Eagle Rd Anaconda MT 59711  
Sam Samson Box 358 Boulder, MT 59632  
Trevor Marble PO Box 221 Wolf Creek, MT 59643  
Don Burks Livingston MT



Petition opposing HB 309

**We, the undersigned oppose HB 309 because:**

- \*It essentially repeals stream access.
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- \*It replaces a clear definition of private ditches that works with a definition that does not work.
- \*It will create endless litigation.

<u>Print Name</u>	<u>Address</u>	<u>Signature</u>
Raymond Gross, Jr	355 Antelope Dr, Dillon	Raymond Gross, Jr
Leon Sagaloff	908 E. Glendale Dillon	Leon Sagaloff
JUSTIN HARTMAN	5500 BLAETAIL RD QUON, MT	Justin Hartman
Shawn Jones	109 Arabian Ln Dillon	Shawn Jones
MATT BRYN	505 S. Argenta St Dillon.	Matt Bryn
DAN ALLEN	242 N. PACIFIC ST. DILLON	Dan Allen
DON GRIFFIS	72 FAIRWAY DR DILLON	Don Griffis
SARY DUNCAN	PO BOX 107 DILLON MT	Sary Duncan
ROB SPITZER	109 Cloudrest Dillon, mt.	Rob Spitzer
Paul Wehrath	750 N. Montana #2 Dillon mt.	Paul Wehrath
RICHARD SCHINELLA	40 STEWART CT DILLON MT	Richard D. Schinella
Joselina Schinella	40 Stewart Ct. Dillon, MT	Joselina Schinella
Darrell G Smith	23 Skihi, Dillon, mt 59725	Darrell G Smith
Kelly Kinzey	435 South Atlantic Dillon MT 59725	Kelly Kinzey
George Faulk	350 Antelope Dr. Dillon, MT.	George Faulk

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Print Name	Address	Signature
Roddy e Bullis	59602 6785 S. 1/2 W. Hwy Ct	RC Bullis
Paul Grosfield	Box 937 Lincoln, MT	Paul Grosfield
ANDY SHIRTLIFF	3200 W. ARCADE ST. HELENA	Andy Shirliff
ROBERT DELAY	317 N. ARCADE ST. HELENA	Robert Delay
Brian Nelson	1928 Cherry Dr. CF	Brian Nelson
John Shirley	P.O. 509 Hardin, MT	John Shirley
Sam Baggio	10 South Terry Hardin MT	Sam Baggio
Adam Berg	518 13th St west Hardin MT	Adam Berg
Kyle Bakke	510 South. 26th St. BLS, MT	Kyle Bakke
Mike P. H. H.	P.O. Box 58 Ponsay MT	Mike P. H. H.
John Harris	107 MAIN ST ANAconda MT	John Harris
Dan A. Delisi	765 S. 1st St. Anaconda MT	Dan A. Delisi
Jayson Gill	3260 Farnell St, Butte MT 59702	Jayson Gill
Jeremy Kratzer	213 1/2 W Park Livingston, MT 59047	Jeremy Kratzer
John Kowalski	1107 LeGrande Helena MT 59601	John Kowalski

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Print Name	Address	Signature
WM Casolara	19 Mule Skinner Sheridan	WM Casolara
Jerry Kustich	Box 432 307 S Madison Twin Bridges, MT	Jerry Kustich
Jack Gillyly	820 W. Third, Anaconda	Jack Gillyly
Bryon Schmarv	1831 Thorton Butte	Bryon Schmarv
Carroll Wright	1021 E Commercial	Carroll Wright
Bob Olson	2421 Florence Ave	Bob Olson
Billie Reynolds	170 Shirley Way	Billie Reynolds
Chris Bradley	4120 Veigbushy Ln Butte MT	Chris Bradley
Joe Brown	2019 Project Ave Butte, MT 59701	Joe Brown
Mike Marcus	3441 Hansen Blvd 59716	Mike Marcus
Rocky Dineen	1614 W. Park Anaconda 59701	Rocky Dineen
Kerry Fee	159 W. Maglass Leap, Livingston	Kerry Fee
Kerry Fee	P.O. Box 164 Livingston	Kerry Fee
Sue Jackson	1021 Leslie Hobbs 59601	Sue Jackson
Charles Fagan	1000 Chateau St Helena 59601	Charles Fagan
Dave W. Fagan	1614 W. Park Anaconda 59701	Dave W. Fagan



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Print Name	Address	Signature
Clayton Barr	7 Bruce Ln T.B.	[Signature]
Nathan Andersson	2810 Secor Avenue	[Signature]
John Kirk	1121 Holly Dr. Bozeman, MT	[Signature]
Bryce Parker	2708 Langohr Ave Bozeman, MT	[Signature]
David Althberg	5 Fox Court Dillon, MT	[Signature]
Doug Bachman	P.O. Box 103	[Signature]
Lyle KLASSEN	104 Pond Dr Dillon MT	[Signature]
David M. Waters	156 Pond Dr. Dillon, MT	[Signature]
David Parker	4235 Rail Road Dillon, MT	[Signature]
Lyle Klassen	104 Pond Dillon, MT	[Signature]

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Print Name	Address	Signature
David Pedersen	524 East Sebree St Dillon MT 59725	David S. Pedersen
Gordon Ash	3891 Hwy 287, Twin Bridges MT. 59754	Gordon Ash
Leaf Magnuson	740 E Glendale, Dillon, MT 59725	Leaf Magnuson
Ken Scalzone	267 Buffalo Dr, Dillon, MT 59725	Ken Scalzone
Eve Wills	1217 E Center Dillon, MT 59725	Eve Wills
Justin Muehl	624 S. Argents Dillon, MT 59725	Justin Muehl
LARRY F. BERGER	424 S. R. F. Dillon, MT 59725	Larry F. Berger
Barbara Gibbons	PO Box 223 Dillon, MT 59725	Barbara Gibbons
Jim Brammer	1034 E. Helena Dillon, MT 59725	Jim Brammer
RICH MORGANIST	P.O. Box 1194 Dillon, MT. 59725	Rich Morganist
Jerry Throckmorton	433 Sullivan Lane Dillon	Jerry Throckmorton
Jim Bancroft	P.O. Box 1272 Ennis MT 59729	Jim Bancroft
Heather Granby	4 Legget Ave. Dillon, MT 59725	Heather Granby
Dustin Pabich	Box 23700 Hwy 278 Dillon, MT 59725	Dustin Pabich
Courtney Nicholls	930 Quartz Street Butte, MT 59701	Courtney Nicholls

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<u>Print Name</u>	<u>Address</u>	<u>Signature</u>
Bill Johnson	28 Sunrise Dillon mt	Bill Johnson
Schanna McLaughlin	147 Grandviews Ln Dillon, MT 59725	Schanna McLaughlin
Kenner R. Currie	296 MEADOW LARK	Kenner R. Currie
Stephen Morikawa	146 Beaverhead Ln.	Stephen Morikawa
Kelly Kimzey	435 South Atlantic Dillon, MT	Kelly Kimzey
Paul Hutchinson	41 Fern Ln Dillon MT	Paul Hutchinson
Travis T. Treadwell	136 S Pacific St. Dillon MT	Travis T. Treadwell
Nils Treadwell	100 E. Normal St. Dillon, MT	Nils Treadwell
Patrick L. Seyler	116 Pond Dr. Dillon, MT	Patrick L. Seyler
Nicole West	212 W. Bovine Lane Melrose, MT	Nicole West
Mary Odle	P.O. Box 892 Dillon, MT	Mary Odle
JEREMY ALVAREZ	138 W. MORSE ST DILLON, MT	Jeremy Alvarez
Samie Rogers	12 Buffalo Dr Dillon MT	Samie Rogers
Chuck Robbins	199 Antelope Dr Dillon, MT	Chuck Robbins

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**Print Name**

**Address**

**Signature**

Teresa Tolleth 211 S Argenta St, Dillon Teresa Tolleth

Erin Kenney 710 Kentucky Ave Dillon Erin Kenney

Connor McHugh 600 Kentucky Dillon Connor McHugh

~~Erin Kenney~~ 4321 Beaverside Lane Cascade ~~Erin Kenney~~

Cody Benzel 710 Kentucky Ave Dillon MT 59725 Cody Benzel

Math Sawyer 9500 Blackfoot R.D Dillon MT 59725 Math Sawyer

Scott McDougal 403 Buffalo Drive Dillon, MT 59725 Scott McDougal

Central MT Dougal 403 Buffalo Drive Dillon, MT 59725 Central MT Dougal

Joe Beggs 368 Buffalo Dr. Dillon, MT 59725 Joe Beggs

Brad Schwend P.O. Box 888 Sheridan MT

David L. Suger 18 RUSTIC TRL SHERIDAN MT

Jim Southam 15 Peterson Ln. Dillon MT Jim Southam

~~Erin Kenney~~ 1239 LARKIN LN DILLON, MT

JAMES D. SWAN 219 S. RAILROAD AVE. DILLON, MT. James D. Swan

Jerry Huttlinger P.O. Box 734 Sheridan MT. 59749 Jerry Huttlinger



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Print Name

Address

Signature

Steve Lubinski	1901 Conant, Burley, ID 83318	[Signature]
Dale Hancock	35 Amber Lane, Dillon MT	Dale Hancock
WADE BRACKETT	706 W. Bronson, Butte	Wade Brackett
GLENN BRACKETT	1271 Woodrow St Butte	Glenn Brackett
Mike Walker	PO 98 Three Bridges	Mike Walker
SCOTT REYNOLDS	1700 Shirley Way, Anaconda MT	Scott Reynolds
Eric T. Har	146 Glacier Lily Butte, MT 59703	Eric T. Har
Rich Day	2615 Yale Butte MT 59701	Rich Day
Chad Elser	29 Pioneer Way, Bozeman, MT 59718	Chad Elser
ARLEN FRANK	7127 RACON Rd, Helena 59602	Arlen Frank
AUSA ALLGARD	Box 100578 BS, MT 59716	AUSA ALLGARD
Grant Snyder	1805 Joslyn Helena MT 59601	Grant Snyder
Tom Schooner	Box 2 Pruney, Long Prairie	Tom Schooner
Al Luebeck	2710 Amherst Butte	Al Luebeck
Steve Luebeck	17 Queens Ct Butte, MT	Steve Luebeck